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"MEAT INSPECTION - PACKER COOPERATION"

*Dr. C. H. Pals

I appreciate the opportunity given to me by your President, Mr. Liljenquist, to appear before you. I want to talk briefly about the subject in which we are all interested, about which we all have opinions, though not necessarily the same opinions. That is the relationship between the regulatory agency--the Meat Inspection Division--and the party being regulated, the Meat Packing Industry.

These relationships call for considerable understanding on the part of the Agency and the Industry, and all of the individuals involved in carrying out the obligations associated with each. The term "cooperation" implies a joint action or operation. It may also be defined as a collective action in the pursuit of a common objective.

In our case, the common objective is to give the people of this country a continuing supply of safe, wholesome meat which is not adulterated and which is truthfully labeled.

This Meat Inspection program, at the National level, has been in existence since before most of us were born. Those early leaders of industry and Government who set the stage for the Federal meat inspection service had foresight.... the kind of foresight to build solidly, for the mutual well being of the industry and the people.

Since those early days, tremendous changes have taken place in the livestock and meat industry. Today, this industry has the second largest dollar-value of all industries in the United States, preceded only by the automobile-truck-bus-automotive-parts industry. This is a great industry because ours is a democratic capitalistic, free enterprise society.

*Talk given by Dr. C. H. Pals, Director, Meat Inspection Division, Agricultural Research Service, United States Department of Agriculture, before the Western States Meat Packers Association Meeting held in Seattle, Washington, February 21-23, 1963.

Free people have a tendency to resist controls. At the same time, we recognize that laws are made for men, and that with the laws there must be certain regulations and responsibilities. Even so, each of us, subject to laws and regulations, wants to feel that we have a choice. It is not whether or not to comply with the law. It is a choice in interpretation of the law, and a choice as to how the law is administered.

The operation of any regulatory program requires a mutual respect between the person being regulated and the one administering such regulations. In the relationship between the meat inspector and the meat packer, there must be a recognition of the rights and obligations on the part of each for the other.

The meat inspector has responsibility to enforce the regulations, fairly, uniformly, and with due regard for the rights of the industry, the rights of the other recipients of such service--the producer and the consumer--and lastly, his own rights and responsibilities as a citizen and as an individual. We have continually attempted to instill in all our employees a strong sense of loyalty and responsibility.

Regulations such as those established under the Meat Inspection Act can only be promulgated when a need for such regulation has been demonstrated. This need may change with changing world and local conditions as when a dangerous foreign disease breaks through normal barriers to threaten our own livestock. Regulations, once necessary, may become obsolescent. When they have served their usefulness, they can properly be rescinded. In some cases, they may remain available but unused. For example, regulations on vesicular diseases are on the books. These were useful when vesicular exanthema swept across the country a few years ago to endanger the swine industry. This is the

only time these regulations had to be enforced, but they would be equally effective should foot-and-mouth disease break through our barriers. We have been free of this disease in the United States since 1929, but we are constantly alert to the possibility of an outbreak.

Most establishments have never experienced application of the regulations that apply to anthrax. But the regulations are there. Procedures have been prescribed and each year are used in one or more establishments to protect the establishment employees, the livestock industry, and the public.

When a regulation is proposed, it is just that--a proposal. It has been carefully considered, and the proposal represents our best thinking. It has been examined by the Office of the General Council for legal sufficiency. It is intended to be presented in such a way as to receive free comment from all interested persons. We request group expression as well as the view of individuals concerned. When a proposal is published in the Federal Register, that action is an official notice to all interested persons that we invite their comments.

In order to solicit additional comment, to be sure that all persons who may have an interest in the proposal are aware of it, we notify the public press and use our own memoranda to distribute this information.

For over 50 years, the Meat Inspection Act, its amendments and related acts, have been challenged, both administratively and through the courts. There is now a rather clear understanding of the full scope and effect of these laws.

When a new regulation or an amendment to the Act is being considered, the impetus for that action may come from one or more of several sources. For instance, a vocal group of citizens-with-a-purpose instigated the action that led to the designation of accepted methods for humane slaughter. Sometimes,

the industry itself may feel there is need for a regulation. This happened a few years ago in the case of canners who wanted the U. S. Department of Agriculture to prohibit canning Vienna sausage with cereal. In this instance, we did not propose an amendment to the regulations since we did not find that the Department has authority for that kind of restrictive regulation. Of course, voluntary action by the meat canning section of the industry could have the same effect.

Recently, the Department found in a survey that the importation of sterile canned hams has exceeded domestic production of these hams. This may suggest that United States meat packers should examine the attention given to quality. Here again, we have not found this to be an area for control by the Meat Inspection Division.

Sometimes, regulation changes are in the nature of clarifying a position. Other times they are in recognition of entirely new circumstances. On the other hand, the Department may find that problems are occurring that are different from the circumstances leading to the original regulation. This was true with our recent regulations covering the improper use of labels after the product has left the establishment, such as in the retail store. Under such circumstances, Division officials initiate the new regulation.

In any case, before a regulation is proposed, it is necessary that the need for a change be thoroughly established.

Since the law provides that action shall be taken by the Department to assure the production of clean, sound, wholesome meat that is not adulterated and that is truthfully labeled, enforcement of that law requires a careful examination of all the considerations.

Certainly, the first point to be considered is the matter of safety. The health and welfare of the American people must be our first concern. This is a point on which we all agree, and this point is overriding with regard to all other considerations.

The suitability of a new ingredient for use in food must be determined. Here again, the first question is safety, and the next has to do with whether it serves a useful purpose. Also, there must be means for identification of the material and for its control. These questions have to be answered every time a new ingredient is proposed.

The Division has responsibility for deciding whether or not the product will be presented to the purchaser in a way to permit that purchaser to identify the product. In other words, "hamburger" is all beef and that term cannot be used to label a product that is part beef and part some other kind of meat. "Hamburger" helps the consumer identify her purchase.

There are many matters that are not subject to control by the Meat Inspection Division, particularly through its label control authority. This is an area of some misunderstanding in the industry, I believe, and some people have misinterpreted our control of ingredients proposed for use in food and certain combinations of ingredients that affect the end product.

I want to make it very clear that we are not concerned about preference in flavor or quality. The flavor and texture of a food is a matter that should be properly determined by the producer of such food. In other words, this is an area of packer responsibility. The packer has the responsibility for determining the particular quality of product he will produce. He also has responsibility in the area of economics. He has to make the decision on the price he will pay for product or the price that he will ask for his product. This is not a concern of the Meat Inspection Division.

It is our concern, however, that the product be truthfully labeled so that the purchaser can make a choice with full knowledge of the product being offered for sale.

There is no question that the Congress provided adequate legal authority for assuring truthful labeling of product. The legal authority to regulate in this area has been repeatedly determined in the courts. We recognize that in a law such as ours, which requires prior approval of all labeling material, there are opportunities at times for differences of interpretation. We welcome the opportunity to discuss these differences and to arrive at an equitable solution. This is a matter that requires continuous attention, both by the packer and representatives of the Meat Inspection Division.

We must also recognize that in this area of product identification and labeling, that the consumer is entitled to the kind of information that will permit him to make a choice.

We are concerned that all packers be treated fairly and equitably. A packer has good reason to use his ingenuity and the best talents available to him to produce an attractive package, with appealing food. The competition for space on the grocery shelves and in the refrigerated cases is keen. Being a referee to see that all persons concerned are treated equitably is a responsibility that we take very seriously.

As new products are developed or new methods of merchandising are devised-- and this is an area of constance change in a vital industry such as yours--we want to assure that the proponent of such a new idea has opportunity to have his proposal considered carefully. Not all problems are total industry problems. Neither are all ideas available to other members of the industry. Each packer who has an idea for a new product or a new method of selling this product, is

entitled to exploit this advantage until his competition catches up with him. Our inspectors and our meat inspection officials are instructed and expected to treat such information in confidence. We do not expect to be the medium by which information is passed from one packer to another.

The principal reason packers are in business is to make a profit. This is as it should be. This is the American way of life. In order to justify such a profit, a packer is obliged to follow the rules that are applied to the industry. We cover only a small part of these rules. It is not our purpose to interfere with your profit-making motives. It is our purpose to see that those rules for which we do have authority are followed. We believe that is in your best interest, too.

When a meat packer applies for inspection he agrees to certain conditions. Depending on the form of organization such agreement is signed by the owner, a partner, or in the case of an incorporated company, by one of the officers of the corporation. The agreement includes the following:

"If the inspection is granted under this application, it is hereby expressly agreed to conform strictly to all federal regulations and orders pertaining to meat inspection as they apply to the within-mentioned plant and it is guaranteed that said plant will be maintained in a sanitary condition and that adequate equipment and facilities for conducting federal inspection and operations in the plant will be provided and maintained."

In recent years more and more responsible meat packing officials have publicly recognized the need for good inspection. They have properly asked that the inspection be fairly and uniformly applied. We fully agree with this position and strive continually to reach this goal. A top industry official

recently told an investigating committee -"We like strict and fair inspection. When the inspection is strict our own operations improve. When it is lax, then our own operations become sloppy".

Cooperation between meat inspection officials and meat packers rests in part on good communication. Communication takes many forms, but it is not complete until the person who wants his views known has found an interested listener. Communication involves both speaking or writing and listening. It involves an exchange of thoughts. When such exchanges have taken place, it has been our experience invariably that problems ceased to be major in character.

A recent attempt at improving communication has been our offer to participate with you in planning for emergencies, including natural disasters. The response so far has been gratifying. If you want our participation in such planning, we are ready and willing to help.

Meat packers have found a new way of communicating with the inspection officials at their station, and they have come to realize that there is a community of interest in the operation of the meat packing business. This is vital to the welfare of our country, if we are to survive national emergencies, and if our people are to continue to be among the best fed people on earth.

We view cooperation as a 2-way street between persons who sincerely seek a common objective. So long as we both do our part, the livestock and meat industry will be assured of a continuing market for the finest meat supply in the world and the American Consumer will be among the best fed people of the World.

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